

REMARKS/ARGUMENTS

This paper is filed in response to the office action mailed September 7, 2006. Claims 2-10 and 25 are pending in the application. In the office action claims 2-10 and 25 were rejected under 35 U.S.C. §102(e) over Sakai, et al. (United States Patent No. 6,773,476). Claim 25 was rejected under 35 U.S.C. §112, second paragraph.

By this paper, claims 2, 5, 7, and 25 have been amended. Accordingly, claims 2-10 and 25 are presented for reconsideration and allowance by the Examiner.

The Examiner takes the position that the claims are anticipated by Sakai, et al. However, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP §2131 (*quoting Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Id.* (*quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1671, 1673 (Fed. Cir. 1994). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." *In re Paulsen*, 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).


By this paper claims 2, 5 and 7 have been amended to clarify the difference between the claimed inventions and Sakai et al. The method of the claimed invention requires the use of first, second and third polishing compositions different from each other, which feature is not disclosed in Sakai. Accordingly, the cited reference fails to disclose each and every element of the claim and, as a result, the 102(e) rejection should be withdrawn.

Claim 25 has been amended to delete the phrase "or alkali" in accordance with the suggestion of the Examiner. Accordingly, the 112 rejection should be withdrawn.

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In view of the forgoing, Applicant respectfully submits that all of the pending claims are in condition for allowance. The Examiner is respectfully requested to promptly issue a Notice of Allowance. If there are any remaining issues that require clarification, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,


Craig Metcalf
Reg. No. 31,398
Attorney for Applicants

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SNELL & WILMER L.L.P.
Gateway Tower West
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Telephone: 801/257-1900